

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
District of New Mexico

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO
2017 JUN 26 PM 1:03
CLERK-LAS CRUCES

United States of America
v.
MILNE, John Leroy

Case No.

17MJ1590

Defendant

CRIMINAL COMPLAINT

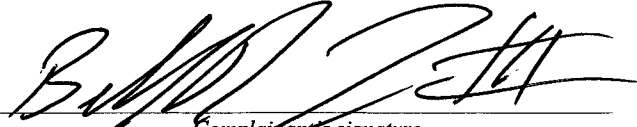
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 06/23/2017 in the county of Hidalgo in the Judicial District of
New Mexico, the defendant violated 21 U. S. C. § 841 (a) (1)
x an offense described as follows:

Knowingly, intentionally and unlawfully; manufacture, or distribute, or dispense or possess with intent to manufacture, distribute, or dispense a controlled substance; to wit approximately 111.58 kilograms of marijuana, a Schedule I controlled substance, in violation of Title 21 U.S.C. 841 (a) (1).

This criminal complaint is based on these facts:
See attached Affidavit, which is marked Attachment "A", and which is incorporated by reference as if fully set out herein.

☒ Continued on the attached sheet.


Complainant's signature

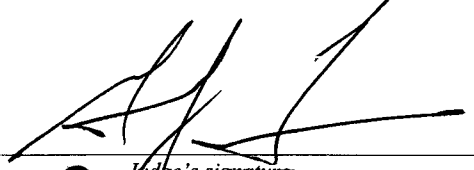
Special Agent Billy Hopkins

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/23/2017

City and state: Las Cruces, New Mexico


Judge's signature
Gregory J. Fouratt
United States Magistrate Judge
Printed name and title

17MJ1590

United States of America v. John Leroy MILNE

ATTACHMENT "A"
AFFIDAVIT

I, Billy Hopkins, Affiant, being duly sworn, state that the following information is true and correct to the best of my knowledge and belief:

The following information is based upon information provided to me by other agents and is presented as probable cause to arrest John Leroy MILNE. Since this affidavit is being submitted for the limited purpose of establishing probable cause, your Affiant has not included each and every known fact regarding this investigation. More specifically, your Affiant has set forth only pertinent facts that your Affiant believes are necessary to establish probable cause.

Your Affiant knows that on June 23, 2017, at approximately 08:15 am, Lordsburg, New Mexico, United States Border Patrol Agents encountered a brown in color four-door Ford Explorer that was driven by a male subject who was identified as John Leroy MILNE. During a consensually encounter between Border Patrol agents and MILNE, agents observed large burlap backpacks similar to what they have seen used in narcotics smuggling in the back cargo area of the aforementioned vehicle when MILNE open the back glass of the Ford Explorer to remove the vehicle's temporary plates. The five burlap backpacks, which concealed 12 square bales wrapped in duct tape, contained a green leafy substance. At that time, Border Patrol agents placed MILNE under arrest. The green leafy substance was field tested and tested positive for the properties and characteristics of marijuana with a gross weight of 111.58 kilograms.

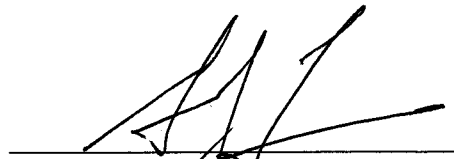
On that same day, at approximately 5:00 pm, Special Agent (SA) Billy Hopkins and Task Force Agent (TFA) David Dorado responded to the Lordsburg, New Mexico Border Patrol Station for investigation and to take custody of the contraband. Prior agent's arrival, Border Patrol Agents advised John Leroy MILNE of his rights, to which MILNE refused to sign and declined to speak with agents.

SA Billy Hopkins contacted Assistant United States Attorney (AUSA) Renee Camacho who authorized the case for federal prosecution.

Based on the above information, your Affiant believes that John Leroy MILNE did knowingly, intentionally, and unlawfully possess with intent to distribute a controlled substance, to wit approximately 111.58 kilograms of marijuana, a Schedule I controlled substance, in violation of Title 21 U.S.C. 841 (a) (1).



Special Agent, DEA
Billy Hopkins



United States Magistrate Judge
Gregory J. Fouratt